

STATE OF MINNESOTA
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE BOARD OF NURSING

In the Matter of W.H.Y., L.P.N. License No. 57530-2	PREHEARING ORDER
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A prehearing conference was held on April 22, 2010, at the Minnesota Board of Nursing, 2829 University Ave. S.E., Suite 200, Minneapolis, MN 55414. The undersigned Administrative Law Judge appeared telephonically. Daphne A. Lundstrom, Assistant Attorney General (AAG), appeared on behalf of the Board of Nursing Review Panel (the Panel). W.H.Y. (the Respondent) appeared on his own behalf.

At the prehearing, the Respondent requested additional time to retain an attorney. The Panel agreed to delay the proceedings as reflected in the order that follows.

IT IS HEREBY ORDERED:

1. The Panel anticipates filing a dispositive motion in this matter. Any dispositive motions shall be served by **July 30, 2010**. Respondent shall file any response to the motion by **August 13, 2010**.
2. This matter is scheduled for hearing on **September 8, 2010** commencing at 9:30 a.m. at the Office of Administrative Hearings, 600 North Robert Street, St. Paul, MN 55101.
3. The parties shall exchange proposed written exhibits and witness lists and file an index of exhibits and a copy of the witness list with this office by **September 1, 2010**. To the extent possible, the parties shall enter into prehearing stipulations regarding the facts involved in the hearing and foundation for anticipated exhibits. Any party objecting to foundation for any written exhibit must notify the offering party and judge in writing at least two working days prior to the hearing or the foundation objection is waived. The Department shall pre-mark its hearing exhibits sequentially beginning with number 1. The Respondents shall pre-mark their exhibits sequentially beginning with number 100.
4. In the event that either side requests a court reporter, notice shall be given to the Office of Administrative Hearings no later than **August 30, 2010**. A court reporter will not be allowed at the hearing unless the undersigned Administrative Law Judge has received notice and approved the request for a court reporter.

5. Requests for subpoenas for the attendance of witnesses or the production of documents shall be made in writing to the administrative law judge pursuant to Minn. R. 1400.7000. A copy of the subpoena request shall be served on the other parties. A subpoena request form is available at www.oah.state.mn.us.
6. The parties have not requested accommodation for a disability or appointment of an interpreter. The Office of Administrative Hearings shall be notified promptly if either an accommodation or interpreter is needed.
7. This case may be appropriate for mediation. The parties are encouraged to promptly consider requesting the Chief Administrative Law Judge to assign a mediator so that mediation can be scheduled promptly.

Dated: April 23, 2010

s/Linda F. Close

LINDA F. CLOSE
Administrative Law Judge